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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **ENOKI, Shigeki et al.**

Group Art Unit: **3627**

Serial No.: **09/976,153**

Examiner: **James A. KRAMER**

Filed: **October 15, 2001**

P.T.O. Confirmation No.: 9280

For: **POS SYSTEM**

RESPONSE UNDER 37 CFR §1.116
- EXPEDITED RESPONSE -
GROUP ART UNIT 3627

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 31, 2005

Sir:

In response to the Final Office Action dated **May 31, 2005**, Applicants respectfully request reconsideration of the 35 U.S.C. § 102(b) rejections of claims 1-12 as anticipated by

Shirasaki et al.

As noted in the response filed on March 17, 2005, the Examiner has cited column 3, lines 37-38, and FIG. 1 for "specifically" teaching that each electronic cash register includes a signal sending/receiving unit 3, and he urges that this corresponds to the means to query, contained in any of the electronic cash registers, any of the other electronic cash registers or the store server, as in the present invention.

Applicants respectfully disagree. Column 3, lines 37-42 disclose:

Each of the electronic cash registers C includes an interface 2, a signal sending/receiving unit 3, a processing unit 4, a read only memory (referred to as ROM hereinafter) 5, a file portion 6, a key input portion 7 and a printer portion 8.

The signal sending/receiving unit 3 does not correspond to the query means of the present invention because no request is made. As discussed in column 3, lines 59-61, only the host computer 1 sends a command signal to an electronic cash register C.

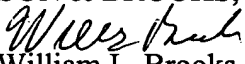
Thus, the 35 U.S.C. § 102(b) rejections of claims 1-12 should be reconsidered and withdrawn. A Notice of Allowance is earnestly solicited.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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